

**ASSEMBLY BILL**

**No. 844**

**Introduced by Assembly Member Negrete McLeod**

February 18, 2005

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An act to amend Section 21623 of the Government Code, relating to public employees' retirement.

LEGISLATIVE COUNSEL'S DIGEST

AB 844, as introduced, Negrete McLeod. PERS: postretirement death benefits.

The Public Employees' Retirement Law provides that, upon the death of any state member after retirement and while receiving a retirement allowance, the sum of \$2,000 shall be paid to the member's designated beneficiary, as specified.

This bill would increase the amount of that payment to \$5,000 with respect to those state members who retired on or before July 1, 2006.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 21623 of the Government Code is
- 2 amended to read:
- 3 21623. (a) In lieu of benefits provided by Section 21620 or
- 4 21622, upon the death of any retired ~~state or~~ school member,
- 5 after retirement and while receiving a retirement allowance from
- 6 this system, there shall be paid to the beneficiary whom he or she
- 7 shall nominate by written designation duly executed and filed
- 8 with the board, the sum of two thousand dollars (\$2,000), to be
- 9 provided from contributions by the employer.

1 (b) *In lieu of benefits provided by Section 21620 or 21622,*  
2 *upon the death of a retired state member who retired on or*  
3 *before July 1, 2006, and is receiving a retirement allowance from*  
4 *this system, there shall be paid to the beneficiary whom he or she*  
5 *shall nominate by written designation duly executed and filed*  
6 *with the board, the sum of five thousand dollars (\$5,000), to be*  
7 *provided from contributions by the employer.*

8 (c) *Except as provided in subdivision (b), upon the death of a*  
9 *retired state member, after retirement and while receiving a*  
10 *retirement allowance from this system, there shall be paid to the*  
11 *beneficiary whom he or she shall nominate by written*  
12 *designation duly executed and filed with the board, the sum of*  
13 *two thousand dollars (\$2,000), to be provided from contributions*  
14 *by the employer.*

15 (d) For the purposes of this section, all contributions,  
16 liabilities, actuarial interest rates, and other valuation factors  
17 shall be determined on the basis of actuarial assumptions and  
18 methods that, in the aggregate, are reasonable and that, in  
19 combination, offer the actuary's best estimate of anticipated  
20 experience under this system.

21 ~~(e)~~

22 (e) The additional employer contributions required under this  
23 section shall be computed as a level percentage of member  
24 compensation.

25 ~~(d)~~

26 (f) This section shall apply to a school employer and a retired  
27 school member whose death after retirement occurs on or after  
28 January 1, 2001. This section shall not apply to any contracting  
29 agency or local member, except those contracting agencies that  
30 are school employers and those school districts or community  
31 college districts as defined in subdivision (i) of Section 20057.